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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MARVIN OUTIN,  
Plaintiff,

v.

MICHAEL J. ASTRUE,  
Commissioner of  
Social Security,  
Defendant.

CIVIL NO. 4:07-cv-03781 CW

STIPULATION AND ORDER FOR  
REMAND

IT IS HEREBY STIPULATED by the undersigned for the respective parties, subject to the approval of the Court, that this action be remanded to the Defendant, Commissioner of Social Security, pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings. The purpose of the remand is to offer Plaintiff a new hearing and decision.

Upon remand, the Office of Disability Adjudication and Review will remand this case to an Administrative Law Judge (ALJ) and direct him or her to further consider Plaintiff's residual functional capacity, Plaintiff's credibility, and the combined effects of Plaintiff's impairments in light of the relevant medical evidence, and in accord with appropriate regulatory and Ninth Circuit law. The ALJ shall also re-assess the medical evidence of record and consider the materiality of Plaintiff's drug and alcohol abuse and whether it is possible to separate Plaintiff's drug and alcohol abuse manifestations from his other symptoms.

1 Dated: February 4, 2008

/s/ David Waggoner

(As authorized via e-mail on February 4, 2008)

2 DAVID WAGGONER

Attorney for Plaintiff

3  
4 JOSEPH P. RUSSONIELLO

United States Attorney

5  
6 Dated: February 4, 2008

By: /s/ Peter Thompson

PETER THOMPSON

Special Assistant United States Attorney

8 ORDER

9  
10 APPROVED AND SO ORDERED.

11 DATED: 2/11/08



THE HONORABLE CLAUDIA WILKEN

UNITED STATES DISTRICT JUDGE